

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JOSEPH BREELAND,</b>	:	<b>CIVIL ACTION</b>
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	<b>NO. 11-7691</b>
	:	
<b>COMMONWEALTH OF PENNSYLVANIA,</b>	:	
<b>THE ATTORNEY GENERAL OF THE</b>	:	
<b>STATE OF, THE DISTRICT ATTORNEY</b>	:	
<b>OF LEHIGH COUNTY,</b>	:	
<b>Respondents.</b>	:	

**O R D E R**

**AND NOW**, this 20th day of April, 2012, upon consideration of the pleadings and the record in this case, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated March 27, 2012, no objections having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Thomas J. Rueter dated March 27, 2012, is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2254 filed by Joseph Breeland is **DENIED**; and,
3. A certificate of appealability **WILL NOT ISSUE** for any of petitioner's claims because reasonable jurists would not debate whether the petition states a valid claim of the denial of a constitutional right as required under 28 U.S.C. § 2253(c)(2). *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**BY THE COURT:**

**/s/ Jan E. DuBois**

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**JAN E. DUBOIS, J.**